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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

|                                     |   |  |
|-------------------------------------|---|--|
| UNITED STATES OF AMERICA,           | ) | CASE NO. CR 18-465 MMC                       |
|                                     | ) |  |
| Plaintiff,                          | ) | STIPULATION REGARDING PROPOSED PRE-          |
|                                     | ) | TRIAL SCHEDULE AND <del>PROPOSED</del> ORDER |
| v.                                  | ) |  |
|                                     | ) |  |
| UNITED MICROELECTONICS              | ) |  |
| CORPORATION, INC.; FUJIAN JINHUA    | ) |  |
| INTEGRATED CIRCUIT, CO., LTD.; CHEN | ) |  |
| ZHENGKUN, a.k.a. STEPHEN CHEN; HE   | ) |  |
| JIANTING, a.k.a. J.T. HO; and WANG  | ) |  |
| YUNGMING, a.k.a. KENNY WANG.        | ) |  |
|                                     | ) |  |
| <u>Defendants.</u>                  | ) |  |

Pursuant to the Court's order of September 9, 2020 (Dkt No. 131), the United States and  
defendants Fujian Jinhua Integrated Circuit Co. ("Jinhua") and United Microelectronics Corporation,

STIPULATION REGARDING PRE-TRIAL SCHEDULE  
CR 18-465 MMC

Inc. (“UMC”) jointly propose the following pre-trial schedule for the Court’s consideration:

| Event   | Date  |
|---|---|
| U.S. shall produce all <i>Brady, Giglio, Jencks</i> (excluding grand jury testimony), and Rule 16(a) Materials (except expert disclosures)  | December 21, 2020   |
| Government Expert Disclosures (Rule 16(a)(1)(G))  | April 2, 2021   |
| Dispositive and Discovery Motion Deadline (including all Rule 12(b)(3) Motions). <sup>1</sup>   | April 23, 2021  |
| Briefing and Hearing Schedules on Dispositive and Discovery Motions   | To be set by Court  |
| Defense Expert Disclosures (Rule 16(b)(1)(C))   | April 30, 2021  |
| Government’s Disclosure of grand jury testimony of witnesses intended to be called at trial   | April 30, 2021  |
| <i>Reciprocal Discovery from Defendants (pursuant to Rule 16(b)(1)(A), (B))</i>   | May 14, 2021  |
| Government Rebuttal Expert Disclosures  | May 28, 2021  |
| Government Exhibit List/Witness List for case-in-chief  | May 28, 2021  |
| Motions in Limine/ <i>Daubert</i> Motions <ul style="list-style-type: none"> <li>• Oppositions</li> <li>• Replies</li> <li>• Hearing</li> </ul>   | June 18, 2021 <ul style="list-style-type: none"> <li>• July 2, 2021</li> <li>• July 9, 2021</li> <li>• July 13, 2021</li> </ul> |
| Defense Exhibit List/Witness List for case-in-chief   | July 6, 2021  |
| Pre-Trial Conference Statement pursuant to L.R. 17.1-1 (as modified by the above) as well as: <ul style="list-style-type: none"> <li>• Joint Factual Stipulations</li> <li>• Proposed Juror Questionnaires</li> <li>• Proposed Voir Dire Questions</li> <li>• Proposed Jury Instructions</li> <li>• Proposed Verdict Forms</li> </ul> | July 6, 2021  |
| <b>FINAL PRE-TRIAL CONFERENCE</b>   | July 13, 2021 at 10:00 a.m.   |
| <b>TRIAL</b>  | August 9, 2021 at 9:00 a.m.<br>(Jury Trial — Estimate: 4-8 weeks)   |

SO STIPULATED AND AGREED

Dated: September 30, 2020

Respectfully Submitted,

DAVID L. ANDERSON  
United States Attorney

/s/ Nicholas O. Hunter  
LAURA VARTAIN HORN  
Assistant United States Attorneys

NICHOLAS O. HUNTER  
Trial Attorney, National Security Division

<sup>1</sup> All discovery motions based on materials produced to date to be filed by this date.

/s/ Leslie Caldwell  
LESLIE CALDWELL  
Attorney for Defendant  
United Microelectronics Corp., Inc.


**[PROPOSED] ORDER**

To provide for the orderly presentation and resolution of pretrial matters, and, having considered ~~Based upon~~ the parties' stipulation and for good cause shown, the Court ORDERS that the pre-trial schedule in this case is as follows:

| Event  | Date  |
|--|---|
| U.S. shall produce all <i>Brady, Giglio, Jencks</i> (excluding grand jury testimony), and Rule 16(a) Materials (except expert disclosures)   | December 21, 2020   |
| Government Expert Disclosures (Rule 16(a)(1)(G))   | April 2, 2021   |
| Dispositive and Discovery Motion Deadline (including all Rule 12(b)(3) Motions). <sup>1</sup>  | <del>April 23, 2021</del> April 21, 2021                  |
| Briefing and Hearing Schedules on Dispositive and Discovery Motions<br>Oppositions<br>Replies<br>Hearing   | May 5, 2021<br>May 12, 2021<br>May 26, 2021, at 2:15 p.m. |
| Defense Expert Disclosures (Rule 16(b)(1)(C))  | April 30, 2021  |
| Government's Disclosure of grand jury testimony of witnesses intended to be called at trial  | April 30, 2021  |
| <i>Reciprocal Discovery from Defendants (pursuant to Rule 16(b)(1)(A), (B))</i>  | May 14, 2021  |
| Government Rebuttal Expert Disclosures   | <del>May 28, 2021</del> May 18, 2021                      |
| Government Exhibit List/Witness List for case-in-chief   | May 28, 2021  |
| Motions in Limine/ <i>Daubert</i> Motions  | <del>June 18, 2021</del> June 8, 2021                     |
| Oppositions  | <del>July 2, 2021</del> June 22, 2021                     |
| Replies  | <del>July 9, 2021</del> June 29, 2021                     |
| Hearing  | <del>July 13, 2021</del> July 13, 2021                    |
| Defense Exhibit List/Witness List for case-in-chief  | July 6, 2021  |
| Pre-Trial Conference Statement pursuant to L.R. 17.1-1 (as modified by the above) as well as:<br>Joint Factual Stipulations<br>Proposed Juror Questionnaires<br>Proposed Voir Dire Questions<br>Proposed Jury Instructions<br>Proposed Verdict Forms | <del>July 6, 2021</del> June 29, 2021                     |
| <b>FINAL PRE-TRIAL CONFERENCE</b>  | July 13, 2021 at 10:00 a.m.                               |
| <b>TRIAL</b>   | August 9, 2021 at 9:00 a.m.                               |

IT IS SO ORDERED

DATED: October 2, 2020

  
HON. MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup> All discovery motions based on materials produced to date to be filed by this date.